

BEFORE THE BOARD OF MILK CONTROL
AND THE DEPARTMENT OF LIVESTOCK
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT
ARM 32.24.506 and 32.24.511)
pertaining to producer committee and)
pooling plan definitions)

TO: All Concerned Persons

1. On December 24, 2015, the Board of Milk Control (board) and the Department of Livestock (department) published MAR Notice No. 32-15-270 regarding the proposed amendment of the above-stated rules at page 2230 of the 2015 Montana Administrative Register, Issue Number 24.

2. The board has amended the above-stated rules as proposed.

3. The board has thoroughly considered the comments and testimony received. A summary of the comments received and the board's responses are as follows:

COMMENT 1: One commenter stated the proposed rule speaks directly to milk pool members but does not have an invitation to value added processors.

RESPONSE: The board thanks the commenter for the comment. The producer committee is made up of Montana milk producers, not processors. The producer committee assists the board in the operation of the pooling plan and quota system. Montana's pool marketing system, of which the quota system is a component, dictates the compensation of pool producers by pool handlers. The producer committee's authority is limited to matters that impact pool producers and pool handlers. Producer-distributors licensed by the board that do not sell milk to pool handlers, operate independently of the pool milk market system and are not part of that system. Processors not licensed by the board do not purchase milk from pool producers and also operate independently of the pool milk market system.

/s/ W. Scott Mitchell
W. Scott Mitchell
Chair
Board of Milk Control

/s/ Michael S. Honeycutt
Michael S. Honeycutt
Executive Officer
Department of Livestock

/s/ Cinda Young-Eichenfels
Cinda Young-Eichenfels
Rule Reviewer

Certified to the Secretary of State February 8, 2016.